

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Cragg et al  
SERIAL NO.: 09/613,439  
FILING DATE: 7/11/00  
TITLE: SYSTEM AND METHOD FOR FACILITATING HEMOSTASIS  
OF BLOOD VESSEL PUNCTURES WITH ABSORBABLE  
SPONGE  
EXAMINER: Kidwell, Michele M  
ART UNIT: 3761

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service as First Class  
Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,  
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Date: May 10 2004

Name: \_\_\_\_\_

Ruth Rodriguez

COMMISSIONER FOR PATENTS  
P.O. Box 1450, ALEXANDRIA, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Each item of information listed in the attached FORM PTO-1449, for which a copy of each is attached (unless the blanket waiver referred to below applies), may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR §§ 1.56, 1.97 and 1.98. The Examiner is requested to review, consider and document each such item in the official record of this application.

Note: If this box ☐ is checked, this case was filed after June 30, 2003 and qualifies for the blanket waiver of deposit of copies of U.S. Patents and U.S. Patent Application Publications in accordance with the written waiver of 37 CFR §1.98 (a)(2)(i) dated July 11, 2003. Accordingly, such copies are not attached.

This Information Disclosure Statement under 37 CFR §§ 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

# I

This statement is filed pursuant to (**CHECK ONE BOX**):



## 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; or
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, **whichever event occurs last.**

**Accordingly, this information disclosure statement requires no fee and no certification.**



## 37 C.F.R. § 1.97(c).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97(b), but **before** the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; or
- (3) an action that otherwise closes prosecution in the application.

**Accordingly, this information disclosure statement requires either:**

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); or
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).



## 37 C.F.R. § 1.97(d).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires:

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); and
- (2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. **To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.**

## II

Fees Due (**CHECK ONE BOX**):

☒

No fee is due.

☐

The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (**\$180**).

## III

Certification (**CHECK ONE BOX**):

☒

No certification is necessary.

☐

Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies:

That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

☐

Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies:

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

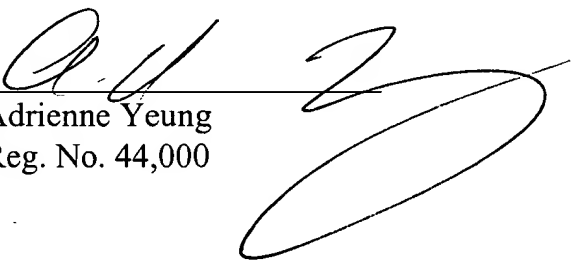
IV

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.**

Respectfully submitted,  
THELEN REID & PRIEST LLP

Dated: May/ 0, 2004

  
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## SUB-Q 1449 US

Form PTO 1449 (Rev. 2-32)		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 034298-069		Serial No. 09/613,439	
<b>Information Disclosure Statement by Applicant</b>				Applicant: Cragg et al			
(Use several sheets if necessary)				Filed: 7/11/00		Group: 3761	
<b>U.S. Patent Documents</b>							
Init.		Document No.	Date	Name	Class	Subclass	Date
	A	3,358,689		John L. Higgins			12/19/67
	B	3,411,505		P.D. Nobis			11/19/68
	C	3,736,939		Glenn N. Taylor			6/5/73
	D	2,597,011		MacMasters et al.			3/1949
	E	4,098,728		Solomon Rosenblatt			7/4/78
	F	4,219,026		Terry No. Layton			8/26/80
	G	4,224,945		Jonathan Cohen			9/30/80
	H	4,405,314		Constantin Copi			9/20/83
	I	4,699,616		George M. Norwak			10/13/87
	J	4,832,688		Sagae, et al			5/23/89
	K	4,839,204		Yoshino			6/13/89
	L	4,292,972		Pawelchak			10/91
	M	4,238,480		Sawyer			12/88
	N	4,404,970		Sawyer			9/83
	O	4,573,576		Thomas C. Krol			3/83
	P	4,708,718		Daniels			11/24E/87
	Q	4,869,143		Merrick			9/89
	R	4,644,649		Seaman et al			2/87
	S	5,399,361		Song, et al			3/95
	T	5,462,194		Keith Barawell			10/95
	U	5,242,683		Klaveness			09/07/93
	V	5,282,827		Kensey et al.			2/94
	W	5,507,279		Fortune			4/96
	X	5,601,603		Illi			02/11/97
	Y	5,782,861		Cragg, et al.			07/21/98
	Z	5,049,138		Chevalier et al			9/17/91
	A1	5,129,889		John L. Hahn			7/14/92
	B1	5,192,290		Said Hilgal			3/9/93
	C1	5,219,899		Panster et al			6/15/93
	D1	5,232,453		Plass et al			8/3/93
	E1	5,254,105		John Haaga			10/19/93
	F1	5,320,639		James Rudnick			6/14/94
Examiner					Date Considered		
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.							



Form PTO 1449 (Rev. 2-32)      U.S. Department of Commerce Patent and Trademark Office				Atty. Docket No. 034298-069		Serial No. 09/613,439	
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(Use several sheets if necessary)				Filed: 7/11/00		Group: 3761	
<b>U.S. Patent Documents</b>							
Init.		Document No.	Date	Name	Class	Subclass	Date
	G1	2,370,319		J.G. Lippincott			2/45
	H1	2,874,776		H.E. Hooe			2/59
	I1	4,573,573		Thomas C. Krol			3/86
	J1	5,322,515		Karas, et al.			6/94
	K1	5,370,656		Shevel			12/94
	L1	5,385,550		Su, et al.			1/95
	M1	5,800,389		Burney et al.			9/98
	N1	5,830,130		Janzen et al.			11/98
	O1	5,858,008		Capaccio			1/99
	P1	5,984,950		Cragg, et al.			11/16/99
	Q1	5,342,388		Sonia Toller			8/30/94
	R1	5,350,399		Erlebacher et al			9/27/94
	S1	5,352,211		William Merskelly			10/4/94
	T1	5,447,502		John Haaga			9/5/95
	U1	5,458,570		James May, Jr			10/17/95
	V1	5,545,175		Abidin et al			8/13/96
	W1	5,571,168		Connie Toro			11/5/96
	X1	5,601,601		Tal et al			2/11/97
	Y1	5,620,461		Wouter M. Muijs Van De Moer			4/15/97
	Z1	5,342,388		Sonia Toller			8/30/94
	A2	5,350,399		Erlebacher et al			9/27/94
	B2	5,352,211		William Merskelly			10/4/94
	C2	5,447,502		John Haaga			9/5/95
	D2	5,458,570		James May, Jr			10/17/95
	E2	5,545,175		Abidin et al			8/13/96
	F2	5,571,168		Connie Toro			11/5/96
	G2	5,601,601		Tal et al			2/11/97
	H2	5,620,461		Wouter M. Muijs Van De Moer			4/15/97
	I2	5,674,346		Nikhil K. Kundel			10/7/97
	J2	5,707,393		Kensey et al			1/13/98
	K2	5,931,165		Reich et al			8/3/99
Examiner					Date Considered		
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.							

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**US PUBLISHED APPLICATIONS**

Form PTO 1449 (Rev. 2-32) U.S. Department of Commerce Patent and Trademark Office						Atty. Docket No. 034298-069		Serial No. 09/613,439	
Information Disclosure Statement by Applicant							Applicant: Cragg et al		
(Use several sheets if necessary)							Filed: 7/11/00		Group: 3761
U.S. Patent Documents									
Init.		Document No.	Date	Name		Class	Subclass	Date	
	G3	US2002/0002889		Ashby et al				1/10/02	
	H3	US2002/0016612		Ashby et al				2/7/02	
	I3	US2002/0038133		Chi Sing et al				3/28/02	
	J3	US2002/0042378		Reich et al				4/11/02	
	K3	US2002/0062104		Ashby et al				5/23/02	
	L3	US2002/0156495		Brenneman et al				10/24/02	
	M3	US2003/0028140		Greff et al				2/6/03	
	N3	US2003/0088269		Mark Ashby				5/8/03	
	O3	US2003/0088271		Cragg et al				5/8/03	
	P3	US2003/0120258		Ashby et al				6/26/03	
	Q3	US2003/0135237		Cragg et al				7/17/03	
	R3	US2004/0019328		Chi Sing et al				1/29/04	
	S3	US2004/0019330		Mark Ashby				1/29/04	
Examiner						Date Considered			
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.									



**SUB-Q 1449 FOREIGN**

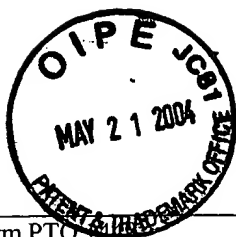
Form PTO 1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 034298-069	Serial No. 09/613,439
Information Disclosure Statement by Applicant		Applicant: Cragg et al	
(Use several sheets if necessary)		Filed: 7/11/00	Group: 3761

## Foreign Documents

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Form PTO 1449 (Rev. 2-32)		U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 034298-069	Serial No. 09/613,439
<b>Information Disclosure Statement by Applicant</b>			Applicant: Cragg et al	
(Use several sheets if necessary)			Filed: 7/11/00	Group: 3761
Z4	<b>Our Pending Applications</b>			
A5	Ashby, Mark et al; Serial No. 10/287,922; filed: Nov. 4, 2002; entitled: Apparatus And Method For Inhibiting Blood Loss			
B5	Ashby, Mark et al; Serial No. 10/069,107; filed: Dec. 16, 2002; entitled: Device And Method For Determining A Depth Of An Incision			
C5	Ashby, Mark et al; Serial No. 10/278,710; filed: Oct. 22, 2002; entitled: System and Method for Facilitating Hemostasis of Blood Vessel Punctures With Absorbable Sponge			
D5	Ashby, Mark et al; Serial No. 10/334,770; filed: Dec 31, 2002; entitled: Improved System and Method for Facilitating Hemostasis with Absorbable Sponge			
E5	Ashby, Mark et al; Serial No. 10/421,680; filed Apr. 22, 2003; entitled: Puncture Closure System With Pin And Pull Technique			
F5	Ashby, Mark et al; Serial No. 10/462,065; filed: Jun. 12, 2003; entitled: Enhanced Bleed Back System			
G5	Ashby, Mark et al, Serial No. 10/462,064; filed: Jun. 12, 2003; entitled: Release Mechanism			
H5	Ashby, Mark et al; Serial No. 10/461,587; filed: Jun. 12, 2003; entitled: Dissolvable Closure Device			
I5	Ashby, Mark et al; Serial No. 10/461,035; filed: Jun. 13, 2003; entitled: System And Method For Delivering Hemostasis Promoting Material To A Blood Vessel Puncture Site			
J5	Ashby, Mark et al; Serial No. 10/461,006; filed: Jun. 13, 2003; entitled: System and Method for Delivering Hemostasis Promoting Material to a Blood Vessel Puncture with a Staging Tube			
K5	Ashby, Mark et al; Serial No. 10/460,859; filed: Jun. 12, 2003; entitled: Hemostatic Device Including a Capsule			
L5	Ashby, Mark et al; Serial No. 10/732,441; filed: Dec. 9, 2003; entitled: Pledget-Handling System and Method for Delivering Hemostasis Promoting Material to a Blood Vessel Puncture Site By Fluid Pressure			
M5	Ashby, Mark et al; Serial No. 10/754,824; filed: Jan. 9, 2004; entitled: Sheath-Mounted Arterial Plug Delivery Device			
Examiner			Date Considered	
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.				



Form PTO (Rev. 2-32)		U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 034298-069	Serial No. 09/613,439
<b>Information Disclosure Statement by Applicant</b>			Applicant: Cragg et al	
(Use several sheets if necessary)			Filed: 7/11/00	Group: 3761
	G4	Berman, et al "Guided Direct Antegrade Puncture of the Superficial Femoral Artery" AJR 147:632-634, 9/86 0361-803X/86/1473-0632 © American Roentgen Ray Society		
	H4	Berman et al "Modification of the Cope Drainage Catheter to Facilitate Placement" AJR 146:169-170, 1/86 0361-803X/86/1461-0169 © American Ray Society		
	I4	Bryne, J. Review, Article: Endovascular treatments for intracranial aneurysms, 1996 The British Journal of radiology; 98,891-899		
	J4	Correll, John T. et al. Biologic investigations of new absorbable sponge; pg 585		
	K4	Correll, John T., al., Certain Properties of a New Physiologically Absorbable Sponge" pp-233-235, 14908.P		
	L4	Di Seni, Ricardo, et al, "Part I, Embolotherapy: Agents, Equipment, and Techniques," Vascular Embolotherapy, Vol. 4, pgs 29 & 33		
	M4	Fandrich, C., t al "Small guage gelfoam plug liver biopsy in high risk patients", Australian Radiology, vol. 40, pp. 230-234 (1996)		
	N4	Kassell, et al. Size of Intracranial aneurysm; vol. 12, no. 3, (1983)		
	O4	Saddekni, MD et al "Antegrade Catheterization of the Superficial Femoral Artery" Radiology 1985 157:561-532		
	P4	Szikora, et al. "Combined Use of Stents and cells to treat experimental wide-necked carotid aneurysms"; Preliminary results; AJNR AM newradiol 15: 1091-1102, June 94		
	Q4	Szikora, et al. Endovascular treatment of experimental aneurysms with liquid polymers: vol. 38, no. 2, Feb. 96		
	R4	Turjman, et al. "Combined Stent implantation & endosacral coil placement for treatment of experimental wide-necked aneurysms": AJNRAM J. Neuroradio 15: 1087-1090 June 94		
	S4	Vogelzang "A Modified Cope Introducing Dilator to Allow Straight Guide Wire Introduction" AJR 146:381-382 2/86 0361-803X/86/1462-0381 © American Roentgen Ray Society		
	T4	Yoshimoto, et al "Cerebral aneurysms unrelated to arterial bifurcations"; Acta neurochir (Wien) (96) 138: 958-964		
	U4	Pharmacia & Upjohn manufacturer brochure "gelfoam sterile sponge, sterile powder and sterile film, pp 1-34 (May 1997)		
	V4	Pharmacia & Upjohn manufacturer brochure "gelfoam sterile powder ", (Feb. 1996)		
	W4	Pharmacia & Upjohn manufacturer brochure, "gelfoam sterile powder" (March 1996)		
	X4	Pharmacia & Upjohn manufacturer brochure, "gelfoam sterile powder" (Sep. 1996)		
	Y4	Pharmacia & Upjohn manufacturer specification, "Gelfoam sterile sponge, sterile powder and sterile film" pp. 1-23 (Nov. 1996)		
Examiner			Date Considered	
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.				